



RECEIVED

JAN 20 2004

OFFICE OF PETITIONS

MS PETITION
PATENT
3655-0144P

DAC

#20
LB
2/3/04

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: James J. MACOR Conf.: 3305
Appl. No.: 09/353,316 Group: 2686
Filed: July 14, 1999 Examiner: APPIAH, C.N.
For: COMPUTER AND MOBILE COMMUNICATION SYSTEM

RECEIVED

JAN 26 2004

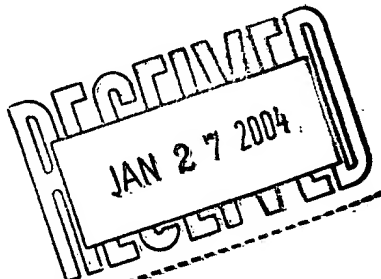
Technology Center 2600

PETITION UNDER 37 C.F.R. § 1.181
TO WITHDRAW THE HOLDING OF ABANDONMENT

MS PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:



January 27, 2004

RECEIVED

FEB - 5 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2000

In response to the Notice of Abandonment dated November 18, 2003, applicant hereby respectfully petitions under the provisions of 37 C.F.R. § 1.181 and MPEP § 711.03(c) for a decision to withdraw the holding of abandonment due to failure to receive an Office Action.

The Notice of Abandonment dated November 18, 2003 indicates that this application was abandoned in view of the applicant's failure to respond to an Office Action mailed on April 30, 2003.

However, this Office Action was never received by the offices of the undersigned, and a search of the file jacket for the present application and the firm docketing records reveals that the Office Action of April 30, 2003 was never received. The offices of the undersigned did not become aware of the Office Action until advised of the holding of abandonment.

The fact that the Office Action of April 30, 2003 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP is evidenced by Exhibits I, II and III attached hereto.

Exhibit I is a copy of the front page of the file jacket of Appl. No. 09/353,316 (which corresponds to Attorney Docket No. 3655-0144P). It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petitions Examiner will note, there is no entry for the Office Action dated April 30, 2003 on the front page of the file jacket of the above-referenced application.

Exhibit II is a copy of the computer-generated daily docket sheet(s) of Birch, Stewart, Kolasch & Birch, LLP for the date of July 30, 2003 (the due date for said Office Action), containing entries made by our Docketing Department of due dates in response to PTO actions. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO into our computer docketing system.

Although Application Numbers, Titles, Client Names, and Inventor Names have been redacted from this Exhibit to avoid public disclosure of these matters once the present application is patented, it is still clear that there is no entry for the due date of July 30, 2003 which corresponds to the current application, Attorney Docket No. 3655-0144P.

Exhibit III is a copy of a Status Inquiry and a postcard evidencing the filing of the Status Inquiry on June 10,

2003. The Status Inquiry was sent because no Office Action was received in the Offices of Birch, Stewart, Kolasch & Birch, LLP.

The undersigned certifies that he has reviewed the computer-generated daily docket sheets for the due date of July 30, 2003 and did not locate an entry that corresponds to Appl. No. 09/353,316 to inventor James J. Macor.

In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with mailing of an Office Action since the Office Action dated April 30, 2003 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP. The present Petition is timely filed for this purpose.

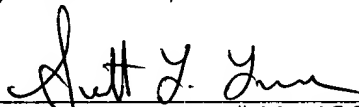
Since the above-mentioned Office Action was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this Petition. In the event that a petition fee is deemed necessary by the USPTO, it is respectfully requested that the fee of \$130.00 as set forth in 37 C.F.R. § 1.17(h)(1) be charged to Deposit Account No. 50-1602.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-1602 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Scott L. Lowe, #41,458

SLL:lmh
3655-0144P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)

(Rev. 09/30/03)

Exh. I

SMALL
ENTITY _____
(FILED)

(FILED)

SUPPLEMENTAL VOLUME(S) _____

ITOR JAMES J. MACOR

ITOR JAMES S. THACOR

COMPUTER AND MOBILE COMMUNICATION SYSTEM

CATION NO. 09/353, 316

FILED: 7-14-99

RITY CLAIMED _____ RECLAIMED _____

RECLAIMED _____

DRWGS. NO. OF SHEETS _____

IGN CASES

STATES INQUIRY. 2000

FILED IN PTO _____
LUCENT TECHNOLOGIES INC.

ADDRESS _____

JOCKET NO. 3655-144F

CLIENT ARMY INC.

THEIR REF. 11445-9

ASSIGNEE REF.

Exh. II

NEW CASES DUE: 17.30.03

Attorney

Docket Number

Description

[illegible]

Wednesday, July 30, 2003

Due Date List By Floor

Page 2

30-Jul-2003

30-Jul-2003

To

30-Jul-2003

Due Date	Action Due	Docket Number/SubCase	Status	App Number	App Date	Other
Indicator	Action Type	Country	Client	Pat Number	Iss Date	Atty

Action Attorney(Attorney2): BG BINLI GUAN

30-Jul-2003 RESPONSE

2846-0253 /

Active

BG

Final TM/RS

United States of America

JMS

Mailed Sarah

Matter Title:

Slow Pay - See Managing Partner

Remarks: DISCOVERY PERIOD TO OPEN (all)

Action Attorney(Attorney2): CAM CRAIG A. MCROBBIE

30-Jul-2003 TO BE FILED

2801-0196 /

Unfiled

GMM

Due Date TBF

United States of America

CAM

Slow Pay - See Managing Partner

Remarks: DUE DATE Per DM 6/30/03

See 8-15-03 per dma 7-29-03

Action Attorney(Attorney2): CTT CARL T. THOMSEN

30-Jul-2003 FINAL

0303-0428 /

Pending

20-Jul-2000

JMS

Due Date FINI

United States of America

CTT

After final 8-7-30-03

30-Jul-2003 NOA

0303-0428 /

Pending

20-Jul-2000

JMS

Due Date:

United States of America

CTT

Title:

ext

30-Jul-2003 FIRST AMENDMENT

0505-0948 /

Published

17-Jan-2002

JMS

Due Date

United States of America

CTT

Slow Pay - See Managing Partner

Title:

ext

Action Attorney(Attorney2): DRN MARK J. NUELL

30-Jul-2003 APPEAL BRIEF

1380-0122 /

PENDING

15-Jul-1998

DRN

Due Date AB

United States of America

DRN

Title:

Slow Pay - See Managing Partner

Remarks: Advisory Action mailed 6-19-03

ext

Wednesday, July 30, 2003

Due Date List By Floor

Page: 3

Floor: 4th

30-Jul-2003

To

30-Jul-2003

Due Date	Action Due Indicator	Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
30-Jul-2003	RESTRICT REQ	RQ	1599-0197 / United States of America	Published		29-May-2001	JAK DRN
			<i>Title:</i>				
30-Jul-2003	TO BE FILED	TBF	1781-0222 / United States of America	Published		27-Sep-2001	DRN DRN
			<i>Title:</i>				
Slow Pay - See Managing Partner							
			<i>Remarks:</i> FILE DIVISIONAL per e-mail dated 7-16-03				
30-Jul-2003	SEQUENCE REQ	SR	2750-1014 / United States of America	PENDING		30-Aug-2000	RCS DRN
			<i>Title:</i>				
			<i>Remarks:</i> Notice to Comply mailed 5-30-03				
30-Jul-2003	RESPONSE (XXXX)	RESP2	2750-1385 / United States of America	PENDING		02-Jan-2001	RCS DRN
			<i>Title:</i>				
			<i>Remarks:</i> NTFMP MAILED 1/30/03 SEQUENCE LISTING				
30-Jul-2003	PERFECT FIL XXXX	PF	2750-1385 / United States of America	PENDING		02-Jan-2001	RCS DRN
			<i>Title:</i>				
			<i>Remarks:</i> NTFMP MAILED 1/30/03				
30-Jul-2003	RESPONSE (XXXX)	RESP2	2750-1531 / United States of America	Pending		12-Aug-2002	RCS DRN
			<i>Title:</i>				
			<i>Remarks:</i> NTFMP MAILED 1/30/03 SUBSTITUTE SPECIFICATION SEQUENCE LISTING				

Response of 7.30.03 #44

see 8.6.03 per d sheet 7.30.03

ext

ext

ext

ext

Wednesday, July 30, 2003

Due Date List By Floor

Page 4

Floor 4th

30-Jul-2003

To

30-Jul-2003

Due Date	Action Due Indicator	Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
30-Jul-2003		PERFECT FIL XXXX	2750-1531 /	Pending		12-Aug-2002	RCS
Due Date		PF	United States of America				DRN

Title:

Remarks: NTFMP MAILED 1/30/03

Action Attorney(Attorney2): EHC ESTHER H. CHONG

30-Jul-2003

ISSUE FEE

0465-0673 /

PENDING

03-Mar-2000 JAK

Final

IF

United States of America

Title:

see the paid 7:30.03#5

30-Jul-2003

IDS

3887-0113 /

Published

28-Jun-2002 JAK

Final

IDS2

United States of America

Title:

Remarks: Fax re: Korean Comm rec'd 7-8-03; originals rec'd 7-10-03; Bonnie H. 7/28

IDS 7.30.03 #32

Action Attorney(Attorney2): FEE MAINTENANCE FEE

30-Jul-2003

Tax 11.5

0020-2059 /

Transferred

19-Jan-1989 UNK

Final

United States of America

Title:

Remarks:

30-Jul-2003

Tax 11.5

0020-2090 /

Transferred

10-Feb-1989 ALB

Final

United States of America

Title:

Remarks:

30-Jul-2003

Tax 11.5

0020-2589 /

LAPSED

04-Sep-1990 UNK

Final

United States of America

Title:

Remarks:

Wednesday, July 30, 2003

Due Date List By Floor

Page: 5

Floor: 4th

30-Jul-2003

To

30-Jul-2003

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
30-Jul-2003	Tax 7.5	0020-3271 / United States of America	Transferred		05-May-1993 30-Jan-1996	CG DJD

Title:

Remarks:

30-Jul-2003	Tax 7.5	0020-3520 / United States of America	Transferred		11-Jul-1994 30-Jan-1996	LRS LRS
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Title:

Remarks:

30-Jul-2003	Tax 11.5	0033-0241 / United States of America	Transferred		03-Jan-1990 30-Jul-1991	UNK UNK
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Title:

Remarks:

30-Jul-2003	Tax 7.5	0038-0222 / United States of America	ISSUED		23-May-1994 30-Jan-1996	JMS JTE
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Title:

Remarks:

30-Jul-2003	Tax 11.5	0176-0162 / United States of America	LAPSED		30-Nov-1989 30-Jul-1991	UNK UNK
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Title:

Remarks:

30-Jul-2003	Tax 7.5	0214-0114 / United States of America	Transferred		29-Apr-1994 30-Jan-1996	JAK EHC
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Title:

Remarks:

30-Jul-2003	Tax 11.5	0365-0186 / United States of America	Transferred		29-Dec-1989 30-Jul-1991	UNK UNK
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Title:

Remarks:

Paid 7.7.03 pen C. Pol 7.30

5

30-Jul-2003

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
30-Jul-2003 Due Date	Tax 7.5	0425-0454 / United States of America	Transferred		14-Apr-1993 30-Jan-1996	JAK CJF
<i>Title:</i>						
<i>Remarks:</i>						
30-Jul-2003 Due Date	Tax 7.5	0465-0192 / United States of America	Transferred		18-Dec-1992 30-Jan-1996	TLC EHC
<i>Title:</i>						
<i>Remarks:</i>						
30-Jul-2003 Final	Tax 11.5	0630-0230 / United States of America	Transferred		06-Apr-1990 30-Jul-1991	JAK KSC
<i>Title:</i>						
<i>Remarks:</i>						
Slow Pay - See Managing Partner						
30-Jul-2003 Final	Tax 11.5	0641-0129 / United States of America	LAPSED		16-May-1990 30-Jul-1991	UNK UNK
<i>Title:</i>						
<i>Remarks:</i>						
30-Jul-2003 Due Date	Tax 7.5	0696-0119 / United States of America	Transferred		07-Oct-1994 30-Jan-1996	JAK JAK
<i>Title:</i>						
<i>Remarks:</i>						
30-Jul-2003 Due Date	Tax 7.5	0717-0331 / United States of America	Transferred		01-Aug-1994 30-Jan-1996	CG SSM
<i>Title:</i>						
<i>Remarks:</i>						
30-Jul-2003 Due Date	Tax 7.5	0965-0141 / United States of America	Transferred		04-Jan-1994 30-Jan-1996	TCB MH
<i>Title:</i>						
<i>Remarks:</i>						

Wednesday, July 30, 2003

Due Date List By Floor

Page: 7

Floor: 4th

30-Jul-2003

To

30-Jul-2003

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
30-Jul-2003	Tax 11.5	1002-0116 /	LAPSED		23-Apr-1990	JMS
Final		United States of America	1		30-Jul-1991	KM

Title: 1

Remarks:

30-Jul-2003	Tax 7.5	1247-0256 /	LAPSED		02-Nov-1993	ALB
Due Date		United States of America			30-Jan-1996	SSM

Title: 1

Slow Pay - See Managing Partner

Remarks:

30-Jul-2003	Tax 7.5	1247-0262 /	Transferred		28-Feb-1994	ALB
Due Date		United States of America			30-Jan-1996	DJD

Title: 1

Remarks:

30-Jul-2003	Tax 11.5	1380-0101 /	LAPSED		27-Nov-1989	UNK
Final		United States of America	Onsagers AS		30-Jul-1991	UNK

Title: 1

Remarks:

30-Jul-2003	Tax 7.5	1560-0116 /	Transferred		03-Dec-1992	MKM
Due Date		United States of America			30-Jan-1996	DJD

Title: 1

Remarks:

30-Jul-2003	Tax 7.5	1560-0124 /	Transferred		31-Dec-1992	MKM
Due Date		United States of America			30-Jan-1996	GDY

Title: 1

Remarks:

30-Jul-2003	Tax 7.5	1560-0139 /	Transferred		12-Mar-1993	MKM
Due Date		United States of America			30-Jan-1996	JAC

Title: 1

Remarks:

Wednesday, July 30, 2003

Due Date List By Floor

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30-Jul-2003

To

30-Jul-2003

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
30-Jul-2003	Tax 11.5	1718-0102 / United States of America	Transferred		22-Jan-1988	GMM
Final					30-Jul-1991	GMM

Title:

Remarks:

30-Jul-2003	Tax 7.5	2051-0103 / United States of America			10-Jun-1994	RCS
Due Date					30-Jan-1996	KM

Title:

Remarks:

30-Jul-2003	Tax 7.5	2404-0102 / United States of America	ISSUED		22-Mar-1994	RJB
Due Date					30-Jan-1996	RJB

Title:

Remarks:

30-Jul-2003	Tax 7.5	2700-0191 / United States of America	ISSUED		09-Dec-1993	JMS
Due Date					30-Jan-1996	JMS

Title:

Remarks:

Action Attorney(Attorney2): INT INTERNATIONAL DEPARTMENT

30-Jul-2003	Foreign Filing	1380-0180 / 00	Pending		30-Jul-2002	KM
Final	FFNEW	United States of America				KM

Title:

Slow Pay - See Managing Partner

Action Attorney(Attorney2): JAK JOSEPH A. KOLASCH

30-Jul-2003	AMENDMENT	0142-0384 /	Published		19-Dec-2001	RCS
Due Date	OA1	United States of America				JAK

Title:

30-Jul-2003	DRAWINGS	0152-0626 /	Pending		10/31/07	JAK
Due Date	OA/DR2	United States of America				JAK

Title:

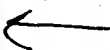
Slow Pay - See Managing Partner

Remarks: oa mailed 5-30-03

paid filed per amc

7.30

Paid 7.7.03 per C. P. 17.03



amend 7.7.30.03 A/B

drawings 7.7.30.03 A/B

30-JUL-2003

Due Date	Action Due	Docket Number/SubCase	Status	App Number	App Date	Other
Indicator	Action Type	Country	Client	Pat Number	Iss Date	Atty's
30-Jul-2003	EX PARTE QUAYLE	0152-0626 /	Pending		19-Dec-2002	JAK
Due Date	EPQ	United States of America				JAK
Slow Pay - See Managing Partner						
30-Jul-2003	Information Disclosure Stmt	3811-0114 /	Pending		30-Apr-2003	JAK
Due Date		United States of America				JAK
Title:						
Action Attorney(Attorney2): JMS JAMES M. SLATTERY						
30-Jul-2003	IDS - 2 WEEK	0020-5054 /	Pending		24-Oct-2002	JMS
Final	IDS-2WK	United States of America				JMS
Title:						
Remarks: Notice of Accept mailed 7-10-03--copy of refs needed						
30-Jul-2003	RESTRICT REQ	0303-0465 /	Published		21-Feb-2003	JMS
Due Date	RQ	United States of America				JMS
Title:						
30-Jul-2003	RESPONSE	0430-0160 /	PENDING		09-Aug-2001	JMS
Due Date	RESP1	United States of America				JMS
Title:						
Slow Pay - See Managing Partner						
30-Jul-2003	PERFECT FILING	1817-0138 /	Pending		30-May-2003	JMS
Due Date	PF	United States of America				JMS
Title:						
Remarks: Notice of Non-Compliant Amend mailed 6-30-03						
Quayle 7.7.30.03 #46						
IDS 7.7.30.03 #47						
Response 7.7.30.03 #43						
it & keys						
no ref.						
EXF						

Wednesday, July 30, 2003

Due Date List By Floor

Page: 10

Floor: 4th

30-Jul-2003

To

30-Jul-2003

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
30-Jul-2003	RESPONSE	2846-0253 /	Active			JMS
Final	TM/RS	United States of America	1	ce		BG
<i>emailed Sarah</i>						
Matter Title:						
Remarks: DISCOVERY PERIOD TO OPEN (all)						
Slow Pay - See Managing Partner						

noted

Action Attorney(Attorney2): JTE JAMES T. ELLER, JR.

30-Jul-2003

IDS

0630-1633 /

Pending

03-Dec-2002 JTE

Final

IDS2

United States of America

Title:

Slow Pay - See Managing Partner

Remarks: Need to submit refs cited in Int'l SR per the Notice of Acceptance mailed 7-7-03; d-sheet 7/24

ESSOR see 8.7.03 per d-sheet 7.30-C

30-Jul-2003

IDS

3449-0133 /

PENDING

12-Oct-2000 JTE

Final

IDS2

United States of America

Title:

Remarks: Refs rec'd by fax 7-7-03; d-sheet 7/21, 7/23

Action Attorney(Attorney2): JWH JAMES W. HELLWEGE

30-Jul-2003

APPEAL BRIEF

3900-0106 /

PENDING

23-Jun-1999 JWH

Due Date

AB

United States of America

Title:

emailed Sandra

ext

Action Attorney(Attorney2): KM JOE MCKINNEY MUNCY

30-Jul-2003

FIRST AMENDMENT

0941-0616 /

Published

27-Nov-2002 KM

Due Date

OAFI

United States of America

Title:

Slow Pay - See Managing Partner

30-Jul-2003

Information Disclosure Stmt

0941-0735 /

Pending

30-Apr-2003 KM

Due Date

United States of America

Slow Pay - See Managing Partner

Title:

Amendy 7.30.03 #34

no refs

Wednesday, July 30, 2003

Due Date List By Floor

Page: 11

Floor: 4th

30-Jul-2003

To

30-Jul-2003

Due Date Indicator	Action Type	Docket Number/SubCase	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
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30-Jul-2003	Foreign Filing Due	1380-0180 / 00	Pending		30-Jul-2002	KM
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Title:

KM

Slow Pay - See Managing Partner

30-Jul-2003

Filing Due

1380-0180 / 00

Pending

30-Jul-2002

KM

Final File Application

United States of America

Title:

KM

Slow Pay - See Managing Partner

30-Jul-2003

TRANSLATION

1380-0180 / 00

Pending

30-Jul-2002

KM

Final

TRAN

United States of America

Title:

KM

Slow Pay - See Managing Partner

30-Jul-2003

Information Disclosure Stmt

1912-0276 /

Pending

30-Apr-2003

KM

Due Date

United States of America

naul

Title:

3M

Slow Pay - See Managing Partner

30-Jul-2003

RESPONSE

3313-0927 /

Pending

01-Apr-2003

KM

Due Date

RESP2

United States of America

KM

Title:

AND TIME

Slow Pay - See Managing Partner

30-Jul-2003

APPEAL BRIEF X

3313-0968 /

Pending

17-Dec-1999

KM

Due Date

AB

United States of America

KM

Slow Pay - See Managing Partner

Title:

Appeal Brief of 7.30.03 #15

30-Jul-2003

Information Disclosure Stmt

4459-0133 /

Pending

30-Apr-2003

KM

Due Date

United States of America

Y

Y

Title:

no rly

KM

Slow Pay - See Managing Partner

Title:

no rly

KM

Wednesday, July 30, 2003

Due Date List By Floor

Page: 12

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30-JUL-2003

To

30-JUL-2003

Due Date	Action Due	Docket Number/SubCase	Status	App Number	App Date	Other
Indicator	Action Type	Country	Client	Pat Number	Iss Date	Attys

Action Attorney(Attorney2): PCL PAUL C. LEWIS

30-Jul-2003	RESTRICT REQ	0459-0527 /	PENDING		07-Feb-2001	KM
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Due Date	RQ	United States of America				PCL
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Title:

Slow Pay - See Managing Partner

Action Attorney(Attorney2): RFG ROBERT F. GNUSE

30-Jul-2003	ISSUE FEE	0459-0544 /	PENDING		18-Jul-2001	KM
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Final	IF	United States of America				RFG
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Title:

Slow Pay - See Managing Partner

Remarks: 1449 ack
5-15-hc

30-Jul-2003	RESPONSE	0943-0136 /	Pending		06-Dec-2000	JMS
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Final	RS	United States of America				RFG
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Title:

Remarks: OA mailed 5-30-03
EOT GOVERNED BY 1.550C

Action Attorney(Attorney2): RJK ROBERT J. KENNEY

30-Jul-2003	TO BE FILED	LA handling 0124-0257 /	Unfiled			RJK
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Due Date	TBF	United States of America				RJK
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DMS (slips sent will)

Slow Pay - See Managing Partner	Remarks: DUE DATE	2400-0122 /	Pending			RJK
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30-Jul-2003	RESPONSE	2400-0122 /	Pending			RJK
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Final	TM/RS	United States of America				
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Matter Title:

Remarks: PERIOD FOR DISCOVERY TO OPEN (all)
Motion on Consent for 60-day EOT f. 6-25-03

Action Attorney(Attorney2): SB SAM BHATTACHARYA

30-Jul-2003	Information Disclosure Stmt	2950-0242 /	Pending		30-Apr-2003	JAK
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Due Date		United States of America				SB
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Title:

Slow Pay - See Managing Partner

no reply

Wednesday, July 30, 2003

Due Date List By Floor

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30-Jul-2003

To

30-Jul-2003

Due Date	Action Due	Docket Number/SubCase	Status	App Number	App Date	Other
Indicator	Action Type	Country	Client	Pat Number	Iss Date	Atty's

Action Attorney(Attorney2): SLL SCOTT L. LOWE

30-Jul-2003 Foreign Filing Reminder 3655-0193 / Inactive 30-Jan-2003 SLL
 Due Date Foreign Filing United States of America
 Title: F

Slow Pay - See Managing Partner

noted

Action Attorney(Attorney2): TBS THOMAS BEN SCHROEDER

30-Jul-2003 RESPONSE 0649-0772 / Published 02-Feb-2001 JWB
 Final RS United States of America
 Title: File Declaration & Terminal Disclaimer

Slow Pay - See Managing Partner

see 7.31.03 per Megumu A. 7.30.03

Action Attorney(Attorney2): TM Trademark Department

30-Jul-2003 RESPONSE 0630-1098 / Pending 23-Jun-2000 RJK
 Final TM/RS United States of America

Slow Pay - See Managing Partner

noted

Remarks: Notice of Abandonment mailed 9/26/02
 REQUEST FOR REINSTATEMENT

30-Jul-2003 FOREIGN FILING 2341-0114 / Pending 30-Jan-2003 JMS
 Final TM/FF United States of America

(DMS)

Trademark:

not filing per dms 7.30.03

Remarks: DM 1-30

30-Jul-2003 CHECK STATUS 3328-0103 / Published 20-Sep-2000 RJK
 Final TM/CS United States of America

Trademark: 1

Remarks: ITU Deleted ? per dm 1-7-03 PER DM 4-21
 Recd ? Per DM 5/12/03

noted

30-Jul-2003 CHECK STATUS 3451-0104 / Published 24-Aug-2001 JAK
 Final TM/CS United States of America

Trademark: 1

Remarks: TO PUBLISH ON 11/19/02

noted

Slow Pay - See Managing Partner

Wednesday, July 30, 2003

Due Date List By Floor

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30-Jul-2003

To

30-Jul-2003

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
30-Jul-2003	TM/TBF Follow Up Date	4395-0109 /	Pending		30-Jan-2003	RJK

Due Date

TM/TBF

United States of America

RJK

Trademark:

Remarks: DUE DATE Filed 1-30-03 Electronically

Noted

Wednesday, July 30, 2003

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Floor 35th

30-Jul-2003

To

30-Jul-2003

Due Date	Action Due Indicator	Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
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Action Attorney(Attorney2): DRM DAVID R. MURPHY

30-Jul-2003

FIRST AMENDMENT

0425-0844 /

PENDING

19-Sep-2001 JWB

Due Date

OAFI

United States of America

Title:

mailed Carolyn

Action Attorney(Attorney2): EHV EDWARD H. VALANCE

30-Jul-2003

NOA

0754-0165 /

Published

12-Oct-2001 JAK

Due Date

United States of America

Title:

exf

30-Jul-2003

FINAL

0754-0165 /

Published

12-Oct-2001 JAK

Due Date

FINI

United States of America

Title:

After Journal of 7.30.03 #16

Action Attorney(Attorney2): GMM GERALD M. MURPHY, JR.

30-Jul-2003

IDS

2815-0217 /

Pending

30-Apr-2003 GMM

Final

IDS2

United States of America

Title: Tr

T

ADACHE

Remarks: File IDS on patent information Per DM 4/30/03

30-Jul-2003

Information Disclosure Stmt

2815-0217 /

Pending

30-Apr-2003 GMM

Due Date

United States of America

Title: T

VCHE

30-Jul-2003

PERFECT FIL X

2815-0217 /

Pending

30-Apr-2003 GMM

Due Date

PF

United States of America

Title:

HE

*exf**no refs*

Wednesday, July 30, 2003

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30-Jul-2003

To

30-Jul-2003

Due Date	Action Due	Docket Number/SubCase	Status	App Number	App Date	Other
Indicator	Action Type	Country	Client	Pat Number	Iss Date	Attys
30-Jul-2003	PERFECT FIL X	2870-0241 /	Pending		20-Feb-2003	GMM
Due Date	PF	United States of America				GMM

Title:

Remarks: NTFMP MAILED 4/30/03

ext

Action Attorney(Attorney2): JWB JOHN W. BAILEY

30-Jul-2003	PERFECT FILING	0425-1045 /	Pending		30-May-2003	JWB
Due Date	PF	United States of America				JWB

ext

30-Jul-2003	PERFECT FILING	0425-1046 /	Pending		30-May-2003	RCS
Due Date	PF	United States of America				JWB

ext

Remarks: English language also

30-Jul-2003	AMENDMENT	1422-0428 /	Pending		15-Jun-2000	JWB
Due Date	oal	United States of America				JWB

ext

Title:

Action Attorney(Attorney2): NEW NEW CASES

30-Jul-2003	TO BE FILED	0051-0208 /	Unfiled			JMS
Due Date	TBF	United States of America				JMS

Redacted

7-30-03

Slow Pay - See Managing Partner

Remarks: DUE DATE Per DM 7/3/03

see 9.19.03 pendme

30-Jul-2003	TO BE FILED	0152-0654 /	Unfiled			
Final	TBFA	United States of America				

TMR

Title:

Remarks: ACTUAL PER CLIENT

new appln of 7.30.03 #41

30-Jul-2003	TO BE FILED	0465-1043 /	Unfiled			
Final	TBFA	United States of America				

TMR

Title:

Remarks: PRIORITY

new appln of 7.30.03 #50

Wednesday, July 30, 2003

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30-Jul-2003

TO

30-Jul-2003

Due Date	Action Due	Docket Number/SubCase	Status	App Number	App Date	Other
Indicator	Action Type	Country	Client	Pat Number	Iss Date	Atty

30-Jul-2003	TO BE FILED	0941-0762 /	Unfiled			KM
Due Date	TBF	United States of America				KM

Redacted

Title:

Slow Pay - See Managing Partner

Remarks: DUE DATE PER DM 7/11/03

See 8.18.03 per dms 7.30.03

30-Jul-2003	TO BE FILED	0941-0802 /	Unfiled			
Final	TBFA	United States of America	1			ice

Julie

Title:

Slow Pay - See Managing Partner

Remarks: ACTUAL PER CLIENT

design appln f. 7.30.03

30-Jul-2003	TO BE FILED	1311-0128 /	Unfiled			GMM
Due Date	TBF	United States of America				KLR

Redacted

Remarks: DUE DATE per dm 12-18-02, 1-17-2-25, 3-27, 4-28, 5/29, 7/3/03

See 8.30.03 per dms 8.5.03

30-Jul-2003	TO BE FILED	1380-0180 / 00	Pending			KM
Final	TBFA	United States of America				KM

not filing

Title:

Slow Pay - See Managing Partner

Remarks: conversion

per filed per dms 7.30

30-Jul-2003	TO BE FILED	2450-0497 /	Unfiled			KM
Due Date	TBF	United States of America				KM

Redacted

Title:

Slow Pay - See Managing Partner

Remarks: DUE DATE Per DM 6/19/03, 7/2/03, 7/16/03

See 8.12.03 per dms 7.30.03

30-Jul-2003	TO BE FILED	2450-0530 /	Unfiled			
Due Date	TBF	United States of America				

Redacted

Title:

Slow Pay - See Managing Partner

Remarks: DUE DATE

See 8.13.03 per dms 7.30.03

Wednesday, July 30, 2003

Due Date List By Floor

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30-Jul-2003

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30-Jul-2003

Due Date	Action Due Indicator	Action Type	Docket Number/SubCase	Status Client	App Number Pat Number	App Date Iss Date	Other Atty
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30-Jul-2003	Final	TO BE FILED	3868-0142 /	United States of America	Unfiled		
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Title: T

REMARKS: CHAPTER II ***OUTBIN***

PCT appln 8.7.30.03

#59

Randy

30-Jul-2003	Due Date	TO BE FILED	4423-0121 /	United States of America	Unfiled		
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Redocket

Title: D
REMARKS: DUE DATE Per DM 7/28/03

see 8.12.03 pendme 7.30.03

30-Jul-2003	Due Date	TO BE FILED	4637-0103 /	United States of America	Unfiled		
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Title: CE

REMARKS: DUE DATE

see 8.13.03 pendme 7.30.03

Action Attorney(Attorney2): RCS RAYMOND C. STEWART

30-Jul-2003	Due Date	Information Disclosure Stmt	0152-0640 /	United States of America	Pending		
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Title: R

Slow Pay - See Managing Partner

no reply

30-Jul-2003	Due Date	Information Disclosure Stmt	0446-0145 /	United States of America	Pending		
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Title: R

SE

30-Jul-2003	Due Date	PERFECT FIL X	0446-0145 /	United States of America	Pending		
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Title: T

ext

Wednesday, July 30, 2003

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30-Jul-2003

To

30-Jul-2003

Due Date	Action Due Indicator	Action Type	Docket Number/SubCase	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
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30-Jul-2003		Information Disclosure Stmt	0446-0146 /	Pending		30-Apr-2003	RCS
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Title: D United States of America

NC

no reply

30-Jul-2003		PERFECT FIL X	0446-0146 /	Pending		30-Apr-2003	RCS
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Title: United States of America

ex4

Action Attorney(Attorney2): RG RICHARD J. GALLAGHER

30-Jul-2003		FIRST AMENDMENT	0152-0561 /	PENDING		23-May-2001	RCS
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Title: F United States of America

amend 7.7.30.03 #31

Slow Pay - See Managing Partner

30-Jul-2003		FIRST AMENDMENT	0171-0940 /	Published		04-Mar-2003	GMM
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Title: F United States of America

ice
filed for reconsideration RG
7.7.30.03 #30

Wednesday, July 30, 2003

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Floor: 6th

30-Jul-2003 To 30-Jul-2003

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
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Action Attorney(Attorney2): CG CHARLES GORENSTEIN

30-Jul-2003	PERFECT FILING	1602-0181 /	Pending			30-May-2003 CG
Due Date	PF	United States of America				

Title:

Action Attorney(Attorney2): DRA DAVID R. ANDERSON

30-Jul-2003	PERFECT FILING	2091-0284 /	Pending			30-May-2003 DRA
Due Date	PF	United States of America				

Perfect 7.7.30.03 #41

30-Jul-2003 TO BE FILED

Due Date: TBF United States of America

Title:

Slow Pay - See Managing Partner

Remarks: DUE DATE Per DM 12-31,2-27,3-28,4/28/03,5/28/03,6/30/03
refs rec'd 1-14-03

see 8.4.03 per dms 7.30.03

30-Jul-2003	RESPONSE	4364-0106 /	Pending			17-Apr-2003 DRA
Final	RS	United States of America				

Title: D

Slow Pay - See Managing Partner

Remarks: file Associate POA per dm 4-17-03,5/29/03,6/30/03

see 8.29.03 per dms 7.30.03

Action Attorney(Attorney2): EAG ELLIOT A. GOLDBERG

30-Jul-2003	TO BE FILED	2936-0125 /	PENDING			25-Oct-2000 CG
Due Date	TBF	United States of America				

Title: L

Remarks: FILE DIVISIONAL per instructions dated 5-8-03,d-sheet 5/22,5/27,5/28,6/10,6/13,6-27,7/8,7/11

see 8.30.03 per dms 7.30.03

Action Attorney(Attorney2): MKM MICHAEL K. MUTTER

30-Jul-2003	IDS	1163-0298 /	PENDING			02-Nov-2000 MKM
Final	IDS1	United States of America				

Title: M

Remarks: fax ref Japanese OA rec'd 7-3-03; originals rec'd 7-7-03 / fax re: EP Search Report rec'd 7-11-03; originals rec'd 7-14-03

IDS 7.7.30.03 A/3

Wednesday, July 30, 2003

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12:00:06 PM

30-JUL-2003

To

30-JUL-2003

Due Date Indicator	Action Type	Docket Number/SubCase	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
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30-Jul-2003	TO BE FILED	1163-0298 /	PENDING		02-Nov-2000	MKM
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Due Date	TBF	United States of America				MKM
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Title: 1

Remarks: Poss RCE

30-Jul-2003	Information Disclosure Stmt	1163-0454 /	Pending		30-Apr-2003	MKM
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Due Date		United States of America				MKM
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Title: S

not needed per d. sheet 7.30.03

30-Jul-2003	ISSUE FEE	1921-0136 /	PENDING		13-Sep-2001	MKM
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Final	IF	United States of America				MKM
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Title: S

Remarks: PUB FEE

have fee paid

not needed per d. sheet 7.30

7.30.03 A/B

30-Jul-2003	TO BE FILED	2257-0190 /	PENDING		15-Jun-2001	MKM
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Due Date	TBF	United States of America				MKM
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Title: 1

Remarks: Poss RCE

not needed per d. sheet 7.30.03

30-Jul-2003	IDS	2257-0190 /	PENDING		15-Jun-2001	MKM
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Final	IDS1	United States of America				MKM
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Title: 1

Remarks: fax ref Korean OA rec'd 7-17-03; originals rec'd 7-28-03

IDS of 7.30.03 A/B

30-Jul-2003	IDS	2565-0251 /	Published		22-May-2002	MKM
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Final	IDS2	United States of America				JLC
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Title: 1

Remarks: File IDS per fax dated 7-15-03; originals rec'd 7-24-03; Gail F. 7/29

IDS of 7.30.03 A/B

30-Jul-2003	IDS	2611-0163 /	PENDING		19-Nov-2001	MKM
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Final	IDS1	United States of America				MKM
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Title: 1

Remarks: Supp EP Search Report and refs rec'd 7-14-03

IDS of 7.30.03 A/B

Slow Pay - See Managing Partner						
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Wednesday, July 30, 2003

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30-Jul-2003 To 30-Jul-2003

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Atty's
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Action Attorney(Attorney2): MRC MICHAEL R. CAMMARATA

30-Jul-2003	FINAL	4450-0370 /	Pending		02-Oct-2000	MRC
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Due Date FINI United States of America

Title:

Slow Pay - See Managing Partner

Remarks: TRANSFER-IN; OA rec'd from client 5-8-03

30-Jul-2003	NOA	4450-0370 /	Pending		02-Oct-2000	MRC
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Due Date United States of America

Title:

Slow Pay - See Managing Partner

Action Attorney(Attorney2): RWD ROBERT W. DOWNS

30-Jul-2003	IDS	0020-4927 /	Published		13-Nov-2001	CG
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Final IDS1 United States of America

Title:

Remarks: Korean OA and refs rec'd 7-23-03

30-Jul-2003	TO BE FILED	4441-0101 /	PENDING		09-Feb-1999	TCB
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Due Date TBF United States of America

Title:

Remarks: FILE 2 DIVISIONALS per fax dated 7-2-03; Kristin S. 7/28

Action Attorney(Attorney2): TCB TERRELL C. BIRCH

30-Jul-2003	IDS	1247-0503 /	Pending		27-Feb-2003	TCB
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Final IDS1 United States of America

Title:

Remarks: Fax re: EP Search Report and refs rec'd 7-7-03; originals rec'd 7-9-03

Slow Pay - See Managing Partner

IDS 7.7.30.03 # 40

Action Attorney(Attorney2): WFN William F. Nixon

30-Jul-2003	ISSUE FEE	1163-0325 /	PENDING		12-Feb-2001	MKM
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Final IF United States of America

Title:

Remarks: PUB FEE

1449 ACK

PD DOM ACK

Action Attorney(Attorney2): WLG WILLIAM L. GATES

7.30.03 A/3

7.30.03 A/3

7.109

please see paid 7.30.03 A

elt

see 7.31.03 per Kristin S. 7.30.03

see 8.5.03 per d. sheet 7.30.03

Wednesday, July 30, 2003

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30-Jul-2003

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30-Jul-2003

Due Date
Indicator

Action Due
Action Type

Docket Number/SubCase
Country

Status
Client

App Number
Pat Number

App Date
Iss Date

Other
Attys

30-Jul-2003
Due Date

DRAWINGS
0965-0354 /
United States of America

Published

11-May-2001
TCB
WLG

Title:

5

Remarks: OA Mailed 4-30-03

30-Jul-2003
Due Date

AMENDMENT
0965-0354 /
United States of America

Published

11-May-2001
TCB
WLG

Title:

30-Jul-2003
Due Date

PERFECT FILING
1215-0483 /
United States of America

Pending

30-May-2003
WLG

Title:

Slow Pay - See Managing Partner

Perfect 7.30.03 #19

Report Selection

- ☐ by Due Date
- ☐ by Due Date (Calendar)
- ☐ by Attorney
- ☐ by Attorney (Calendar)
- ☐ by Attorney (Via Email)
- ☐ by Client
- ☐ Set Appointment(s) in Outlook
- ☒ By Floor (Action Attorney/Attorney2)

Report Format

- ☐ Concise
- ☒ Comprehensive

Remarks

- ☒ Print
- ☐ Do Not Print

Preview before printing ☒

Slow Pay

- ☒ Print
- ☐ Do Not Print

From Date: 30-Jul-2003

To Date: 30-Jul-2003

Status Codes:

Status(es):

Client:

Attorney:

Action Type:

Action Due:

Indicator:

Reminder

Country:

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US

Area:

Floor:

Office Location:

System(s):

- ☐ Active
- ☐ Inactive
- ☒ All

- ☒ Patent
- ☒ Trademark
- ☒ Gen. Matter

Exh. III

JUN 10 2003

Papers Filed herewith on: 3655-0144 PATTY: 54
DOCKET NO.: 3655-0144
APPLICANT(S): JAMES J. MACOR
APPL. NO: 09/353,316 FILED: JULY 14, 1999
PAT NO.: _____

- ☐ New Application with Transmittal Letter
- ☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional
- ☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV
- ☐ Filing Under 37 CFR 1.53(d) (CPA)
- ☐ Filing Under 37 CFR 1.114(RCE)
- ☐ Specification Consisting of: _____ pages
- ☐ Combined Declaration & Power of Attorney
- ☐ Assignment / Cover Letter
- ☐ Letter to Official Draftsman
- ☐ Drawings _____ Sheets ☐ Formal ☐ Informal ☐ Red-ink
- ☐ Completion of Filing Requirements, PCT/DO/EO/905 or Formalities Letter and Executed Declaration
- ☐ Priority Document(s) / Cover Letter, No. Doc. _____
- ☐ Amendment: _____
- ☐ Transmittal Letter ☐ Large Entity ☐ Small Entity
- ☐ Response _____
- ☐ Information Disc Stmt. PTO-1449(s) ☐ Appeal Brief
- ☐ Notice of Appeal
- ☐ Issue Fee Transmittal
- ☐ FEES: _____
- ☐ Letter: _____
- ☒ Other: Status Inquiry

JUN 10 2003

TRADEMARK OFFICE 8630

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: _____
Handcarry: _____

DOCKET NO. 3655-0144

RECEIVED

JAN 26 2004

Technology Center 2600

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: James J. MACOR Conf.: 3305
Appl. No.: 09/353,316 Group: 2682
Filed: July 14, 1999 Examiner: C.N. APPIAH
For: COMPUTER AND MOBILE COMMUNICATION SYSTEM

STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUN 10 2003

Sir:

Please advise the undersigned as to the status of the above-identified application as follows:

A duplicate copy of the present Status Inquiry is attached hereto. It is respectfully requested that the duplicate copy be marked appropriately to indicate the status of the above-identified application and returned to the undersigned as soon as possible.

Please call Sharon Perry, at 703-205-8090 extension 6666 if there are any questions with regard to the present request.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Scott L. Lowe
Scott L. Lowe, #41,458

SLL/bsh
3655-0144P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

- ☐ Awaiting Action from Patent Office Examiner - Expected Date for Action is: _____.
- ☐ Awaiting Decision by Board of Appeals.
- ☐ Application allowed on _____.
- ☐ Abandoned per _____.
- ☐ Other _____.

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